



The City of NORMAN

201 West Gray, Bldg. A • P.O. Box 370
Norman, Oklahoma 73069 • 73070

PLANNING AND COMMUNITY DEVELOPMENT
Phone: 405-366-5433

CASE NUMBER: PD14-27
APPLICANT: WP Oklahoma Nursing, L.L.C.
DATE: September 11, 2014
LOCATION: 501 E. Robinson Street
TO: Interested Neighbors
WARD: 8
FROM: City of Norman Department of Planning and Community Development
SUBJECT: Pre-Development Discussion of a Proposed Nursing Home

You are receiving this letter because you own property within the 350-foot notification boundary of a Pre-Development application to consider a preliminary plat and special use for a nursing home. This property is currently zoned R-2, Two Family Dwelling District with Permissive Use for a Convalescent or Nursing Home, and rezoning will be required to RM-6, Medium Density Apartment District with Special Use for a Convalescent or Nursing Home.

Please join us for a Pre-Development discussion of this proposal on Thursday, September 25, 2014 from 6:30 p.m. until 7:00 p.m. The meeting will be held in Conference Room D of Building A of the Norman Municipal Complex, 201 West Gray Street, located north and west of the downtown Post Office.

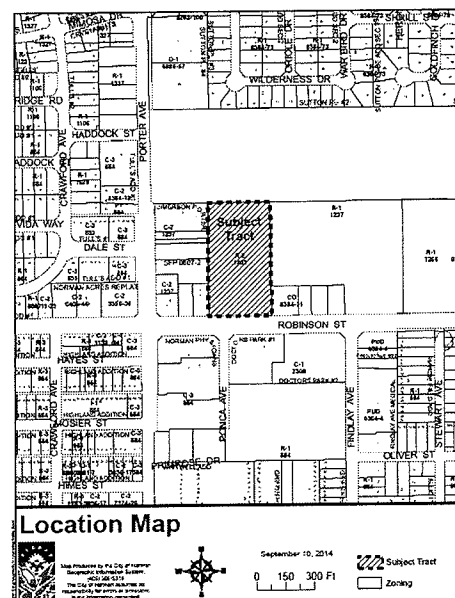
This applicant has filed a concurrent application for Planning Commission consideration of this project at their October 9, 2014 meeting. You will also be receiving notice of that meeting in the near future.

Pre-Development meetings are required for property owners seeking to undertake certain land use actions (any Special Use, rezoning of land over 40 acres in size, amendment of the NORMAN 2025 Land Use & Transportation Plan, subdivision of property, Rural Certificate of Survey greater than 40 acres, or construction of a cellular tower) that could have an impact on surrounding properties.

Pre-Development meetings allow applicants and neighboring property owners to meet informally to discuss proposals and air concerns prior to the public hearing process. Often Pre-Development meetings allow applicants and neighbors to resolve issues of concern, which in turn saves time, money and hard feelings on all sides.

If you have questions about the proposal, please call the contact person, Charles Duncan, (405) 253-2434 between 7:00 a.m. and 4:00 p.m. week days. We look forward to your participation and thank you for taking an active role in your community.

VICINITY MAP





Pre-Development Informational Meeting

APPLICANT <u>LAND OWNER</u> Christopher Brogdon	ADDRESS 3050 Peachtree Road Suite 355 Atlanta, GA 30305
EMAIL ADDRESS cfbrogdon@winterhavenhomes.com	NAME AND PHONE NUMBER OF CONTACT PERSON(S) Charles Duncan 405-253-2434 BEST TIME TO CALL: m-f 7-4

☐ Concurrent Planning Commission review requested and application submitted with this application.

A proposal for development on a parcel of land, generally located

— attached letter of intent

and containing approximately 4.97 acres, will be brought forward to the Planning Commission and City Council for consideration within the next six months.

The Proposed Use(s) in this development will include (please describe specific land uses and approximate number of acres in each use):

See attached letter of intended use.

OFFICE
USE ONLY

This proposed development will necessitate (check all that apply):

- ☐ 2025 Plan Amendment ☐ Growth Boundary
☐ Land Use
☐ Transportation
☒ Rezoning to RM-6 District(s)
☒ Special Use for Convalescent/Nursing Home
☒ Preliminary Plat W.P. Oklahoma Nursing (Plat Name)
☐ Norman Rural Certificate of Survey (COS)
☐ Commercial Communication Tower

Items submitted:

- ☒ Deed or Legal Description
☒ Radius Map
☒ Certified Ownership List
☒ Written description of project
☐ Preliminary Development Map
☒ Greenbelt Enhancement Statement
☒ Filing fee of \$125.00

Current Zoning: R-2

Current Plan Designation: _____

Concurrent Planning Commission Review Requested: ☒

Received on:

9-8-14

at 1:00 a.m./p.m.

by mt

HOLT NEY ZATCOFF & WASSERMAN, LLP

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5947

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

Ellen W. Smith

e-mail esmith@hnzw.com

September 8, 2014

BY HAND DELIVERY

The City of Norman
Planning & Community Development
201 W.Gray Street, Building A
Norman, Oklahoma 73069

Re: Application for Rezoning or Special Use (the "***Application***") by WP Oklahoma Nursing, LLC ("***Applicant***" or "***Owner***") with respect to that certain property commonly known as Whispering Pines Nursing Center, 501 East Robinson, Norman, Oklahoma (the "***Property***")

PROJECT DESCRIPTION

Ladies and Gentlemen:

Owner respectfully submits the Application to allow the renovation and reestablishment of the Whispering Pines Nursing Center on the Property.

Background

The Property is currently zoned R-2 (Two-Family Dwelling District) with a use permitted for review (a/k/a special use) for a convalescent home pursuant to Ordinance 1403 (adopted on August 28, 1962). For almost fifty years, the Property was used for a convalescent or nursing home. By Ordinance 8990-42 (adopted July 24, 1990), the R-2 district was amended to remove "convalescent" home as one of the district's permitted uses. For the next 20 years, the Property continued to be operated as a nursing or convalescent home, as a grandfathered (e.g., legal non-conforming use). However, in the spring of 2010, the facility on the Property closed and it remains closed today. Last year, Owner purchased the Property from First Commercial Bank, which had foreclosed on the Property more than a year earlier.

Project and Application Request

Owner proposes to renovate and update the existing improvements on the Property (primarily on the interior) to allow the reopening of the nursing home on the Property. The nursing home facility will have up to 200 beds, and will operate much like it did for the past almost fifty years. Because the nursing home was out of operation for more than two years, the Property lost its status as a legal non-conforming use, according to Chapter 22, Section 419 of the City of Norman Zoning Code. Accordingly, pursuant to Chapter 22, Section 419, item (f) Owner has filed this Application to re-establish the special use¹ for the

¹ Applicant has received slightly conflicting direction from the City staff. In a letter dated July 31, 2014, a City planner indicated that the Property should be rezoned. But, in subsequent meetings with other City staff, Applicant was advised to apply for a special use. Please consider this request to be whichever is necessary (or both to rezone

HOLT NEY ZATCOFF & WASSERMAN, LLP

The City of Norman
Planning & Community Development
September 8, 2014
Page 2

purpose of reopening of the facility. Concurrently with its submittal of this Application, Owner has submitted an application for replatting for the City's consideration as, apparently, the Property has not been platted despite its having been in use for almost five decades.

The Property will operate as it did prior to the facility's closure in 2010. Generally speaking, although there will be 200 residents of the facility, the majority (if not all) of the residents do not drive or own cars; accordingly, there will not be significant traffic generated by the reopening and, in any event, it is traffic that was previously accommodated by existing infrastructure.

This Application meets and exceeds the minimum requirements of the City's Zoning Code. We respectfully request the approval of this Application. Applicant is happy to answer any questions or provide any additional information that may be helpful in the consideration of this Application.

Sincerely,

Ellen W. Smith

EWS/ews

and for a special use permit, if appropriate) to reopen the facility on the Property with 200 beds. Similarly, Applicant is unaware of any variance that may be required to allow the existing improvements (including, for example, parking spaces as they currently exist) to remain without change. However, if, during the process, it is determined that a variance is required or appropriate (for example, to reduce requisite parking), Owner requests the City's consideration of such variances as may be necessary for the proposed reopening to be considered compliant with the City's Zoning Code.

